11. BROKEN WINDOWS, SURVEILLANCE, AND THE NEW URBAN COUNTERINSURGENCY: AN INTERVIEW WITH HAMID KHAN

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Hamid Khan is the lead organizer for the Stop LAPD Spying Coalition, an alliance seeking to confront and dismantle police surveillance, spying, and infiltration in Los Angeles. He is a member of the Los Angeles Community Action Network's Action Team and a board member for the National Network for Immigrant and Refugee Rights, Political Research Associates, and Youth Justice Coalition.

Camp: Why is Los Angeles such an important place to understand broken windows policing? How has the LAPD's broken windows policing extended into counterterrorism policing?

Khan: Broken windows theory is presented as a core justification for "preemptive policing." The Safer Cities Initiative (SCI), based on this theory, was launched in LA's Skid Row in 2006 under former LAPD police chief William Bratton. In that first year of SCI, people's lives were made so miserable because of the thousands of tickets police issued, based often on excessive enforcement of municipal codes, that they were forced to leave; the ones who stayed continue to face police harassment, brutality, and surveillance on a daily basis. The goal of these policies is to get rid of "undesirables."

Broken windows policing also set the stage for tactics, operations, and structures that are increasingly being adapted into counterterrorism policing. All models, including determinations of "suspicious activity" in counterterrorism policing, are built on attempts to predict future events. In 2004, Congress passed the Intelligence Reform and Terrorism Prevention Act, based on the theory that 9/11 had resulted from a breakdown in information flow between various agencies. The act required Homeland Security and various other agencies to create what was called an "Information Sharing Environment," meaning that local, state, and federal law enforcement agencies would file Suspicious Activity Reports (SARs) on observed and reported activities that can be shared amongst these agencies and private contractors through the Information Sharing Environment. The LAPD was the launching ground for the National Suspicious Activity Reporting Initiative,

resulting in the issuance of Special Order 11 requiring LAPD officers to file SARs on any observed or reported "suspicious" behaviors or activities that might be connected to terrorism or crime. "Suspicious" behaviors included non-criminal behaviors, such as using cameras in public, using binoculars, taking notes, walking into an office and asking for hours of operation, and changing appearances. The "suspicion" cast on such benign daily behaviors opened the door for racial profiling and for using these activities as a pretext to open investigations on law-abiding citizens.

Heatherton: The Stop LAPD Spying Coalition seeks "to dismantle the use of militarized tactics by the police and an end of the surveillance state" and works in partnership with LA CAN, the Youth Justice Coalition, #BlackLivesMatters-LA, and others to achieve those ends. One militarized tactic you've challenged is mass arrests of peaceful demonstrators. What is the relationship between surveillance and the repression of political dissent?

Khan: In September 2012, the LA Police Commission approved new guidelines for intelligence gathering on political groups and others engaged in social justice work. These guidelines gave the LAPD extraordinary new powers and scaled back previous safeguards. There is no criminal predicate, meaning no pretext of reasonable suspicion is needed—anybody can pick up the phone and place an anonymous tip. Based on that tip the LAPD can plant an informant in an organization for six months, sometimes longer. Police can also take on different personas and identities to engage people through social media.

There are new tactics for mass arrests. During the mass protests in November 2014, the LAPD started issuing "rolling" dispersal orders, arresting uninvolved bystanders within or near the area. Another new practice of "kettling" saw the police surround two or three hundred people at a time, disrupting their protest and movement and preventing them from leaving the area. These tactics not only result in arrests but also intimidate people into staying away from any protests.

When you look at all of these moving parts, the structure that emerges is counterinsurgency: gathering information on people, tracking them and creating a record of their activities, creating new databases to house this information, disrupting people's movement, and eventually placing them and those around them under arrest. We cannot forget that these tactics and strategies are based on the methods of police Red Squads and the FBI's counterintelligence program (COINTELPRO) developed under J. Edgar Hoover to discredit, disrupt, derail, and neutralize social movements.

Camp: How have the tactics developed by the Red Squads in the past

shaped the LAPD's surveillance of contemporary social justice movements?

Khan: The LAPD has historically been on the cutting edge of the funding and development of counterintelligence measures. The LAPD Red Squad, which engaged in covert and surveillance activities, actually predates the FBI. Red Squads originated after the 1886 Haymarket strikes in Chicago and were created by the Chicago PD in response not to a foreign threat but rather to labor organizing and grassroots movements. The LAPD's history is rife with extrajudicial, unconstitutional, illegal activity such as entrapment and planting of infiltrators and informants. In the 1980s, the LAPD's Public Disorder Intelligence Division was exposed for having opened files on 55,000 individuals which contained over two million documents. The bust revealed that nonprofits, the city council, and even former mayor Tom Bradley had been infiltrated. Surveillance is an ongoing process that has only intensified since 9/11.

Heatherton: You've written that war abroad means war at home. How do we understand this in relationship to the militarization of local law enforcement?

Khan: The connection between the war abroad and the war at home is tried and tested. There are so many examples in which the LAPD has trained groups in urban counterinsurgency tactics. In the 1980s it trained officials from El Salvador. More recently it helped train the Marine Corps for patrolling Al Anbar and other Iraqi provinces. The Israeli state has also played a key role in the development of counterin-surgency tactics. Bratton was one of the main people to establish these ties; he has helped transfer technology used in the open-air prisons of the occupied territories to US cities. Police officials from LA, St. Louis, and many other law enforcement agencies around the country have gone to Israel for training and to examine technologies such as drones for tracking and targeted killings—observing policing in a context free of US constitutional protections (particularly the Fourth and the First Amendments) to see how the use of technology and its justifications can be transferred to the US. When we talk about militarized policing we often are talking about police use of military weapons. We also need to think about how police increasingly describe the people they monitor as insurgents or enemy forces. These developments are very much in line with Israeli policing structures.

The LAPD gets close to 54 percent of the city's general funds in addition to the hundreds of millions of dollars in grants. Just like the military, they are recession-proof. Structurally the LAPD is one of the most hyper-militarized agencies, with a massive architecture of surveillance that operates similar to

counter-insurgency forces.

Heatherton: What gives you hope at this moment?

Khan: The flipside of all of this surveillance and security is that it's coming from fears of an uprising or a rebellion. People are beginning to look at law enforcement and ask new questions. In Ferguson, for example, people questioned the heavily militarized presence at the protests. They are starting to fight not just for their individual privacy and security but against the broader structures that have created their insecurity as well.

Law enforcement and other emergency preparedness agencies have received over $40 billion from the DHS since 2003, while the social safety net is being cut and scaled back. People are fighting against this disinvestment in their communities. Our task now is to build community power. It's all about organizing. Our goal is to ultimately keep building that deep power and work to dismantle these destructive plans.